



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/593,643

09/21/2006

Shinobu Machida

071971-0746

2943

53080

7590

11/25/2008

MCDERMOTT WILL & EMERY LLP

600 13TH STREET, NW

WASHINGTON, DC 20005-3096

EXAMINER

PEYTON, TAMMARA R

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

11/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/593,643 | <b>Applicant(s)</b><br>MACHIDA, SHINOBU |  |
|                              | <b>Examiner</b><br>TAMMARA R. PEYTON | <b>Art Unit</b><br>2182                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/24/07, 9/21/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admission of Prior art (AAPA), Aoki et al., (child of JP10254811 cited as prior art, US 6,279,061) and Hoshino et al., (US 6,523,754).

As per claims 1 and 5, AAPA and Aoki both teaches a data transfer control system comprising: a host including a first interface; (IEEE1394) a target including a second interface;(IDE) a converter (controller, 51, Fig. 1) for performing interconversion between the first and second interfaces. (See Abstract; page 4, column 5, line 13 to page 4, column 6, line 3; page 6, column 9, line 20 to page 6, column 9, line 25; Fig. 5)

Further, AAPA further discloses an external control unit (46, Fig. 9, Specification Drawings) for controlling the converter,

wherein the converter includes a command processing unit (49, Fig. 9) for issuing a command received from the host via the first interface to the target via the second interface,

a data transfer processing unit (45, Fig. 9) for performing data transfer between the host and the target while performing interconversion between the first and second

Art Unit: 2182

interfaces, and a target command processing judgment unit for performing command processing judgment at the target,

wherein the target command processing unit performs an operation of detecting completion of the data transfer and judging whether or not the data transfer has been normally completed, a write operation of writing the status information on the host-addressed status transfer unit, a transfer operation of transferring status information written on the host-addressed status transfer unit and a notifying operation of notifying a state of the target to the external control unit. (Specification, [0002-0022])

However, Aoki nor AAPA teach wherein a host-addressed status transfer unit for transferring status information generated for the received command to the host via an interface before the data transfer is completed. Hoshino teaches a data transfer system that sends at least one status bit to a host involving a IC card and the host wherein the IC card receives the retransmitted command that prohibits the write processing and transmits an error signal to the host apparatus if a first status bit – that was obviously set before the completion of the data transfer - is send to the host at a first processing start state. The system will transmits the response message to the host apparatus after restoring the data and the response message indicating the processing end by means of a rewrite processing if the second status bit is set at the processing end state. In other words, Hoshino teaches setting two separate status bits wherein at least one of the status bits are set before the completion of the data transfer and before judging of

Art Unit: 2182

the write error has occurred due to an interruption in the data updating process.

(Hoshino, cols. 4-9, col. 11, lines 30-col. 16, lines 1-29)

It would have been obvious to one of ordinary skill at the time the invention was made to implement into Aoki or AAPA the teachings of Hoshino that sends at least one of the status bit to the host before completion of the data transfer because doing so would decrease the transfer bus processing during an updating process.

As per claims 2 and 3, Hoshino teaches of reexecuting operation of reexecuting, when an error is generated in command processing, the command processing according to contents of the error. (Hoshino, cols. 4-9, col. 11, lines 30-col. 16, lines 1-29)

As per claim 4, Aoki teaches wherein the converter further includes a switching unit for selectively switching an operation of the target command processing judgment unit to be enable or disable. (See Abstract; page 4, column 5, line 13 to page 4, column 6, line 3; page 6, column 9, line 20 to page 6, column 9, line 25; Fig. 5)

As per claims 5, Aoki teaches wherein the converter issues, regardless of an instruction from the host, an arbitrary command to the target at an arbitrary timing. (See Abstract; page 4, column 5, line 13 to page 4, column 6, line 3; page 6, column 9, line 20 to page 6, column 9, line 25; Fig. 5)

### **Conclusion**

The examiner requests, in response to this office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line number(s) in the specification and/or drawing

figure(s). This will assist the examiner in prosecuting the application. When responding to this office action, applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R.I.III(c) .

In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq

Art Unit: 2182

Hafiz can be reached on (571) 272- 6729. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272- 2100.

/Tammara R Peyton/

Primary Examiner, Art Unit 2182

November 20, 2008